



U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Complex

P. O. Box 26025
Beaumont, Texas 77720

June 15, 2020

Federal Public Defender
111 Lomas Blvd. NW, Suite 501
Albuquerque, New Mexico 87102
Attn: Emily Carey, Esq.

Re: Luciano Garcia, Reg. No. 92352-051

Dear Ms. Carey:

This is in response to correspondence addressed to the Regional Director of the South Central Regional Office for the BOP, dated May 29, 2020. This correspondence was forwarded to my office for review and response. In your correspondence, you request your client be considered for both compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) and home confinement based on the fact he presents with serious medical risks that make him vulnerable to becoming extremely ill or dying as a result of COVID-19.

Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the BOP, to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement No. 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with this general guidance.

**DEFENDANT'S
EXHIBIT**

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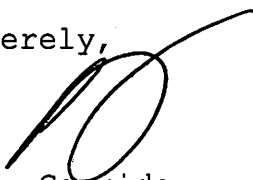
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RIS consideration may be given to inmates who have an incurable, progressive illness or who have suffered a debilitating injury from which they will not recover. Your request on behalf of inmate Garcia is being forwarded to the appropriate institution staff for review in accordance with agency procedures. Inmate Garcia will be informed of the outcome of his review for compassionate release eligibility. Your request for home confinement on behalf of inmate Garcia is also being forwarded to the appropriate institution staff for response.

The Bureau of Prisons is utilizing the full scope of its various authorities to ensure that inmates at heightened risk of complications from COVID-19 are identified and housed safely and appropriately given their specific needs and circumstances. This includes modified institution operations; routine staff and inmate medical screening; use of the home confinement authority, where appropriate, based on guidance from the Attorney General; and use of compassionate release for appropriate inmates who have existing terminal and debilitated medical conditions or who are elderly and nearing the end of their sentence, as provided for in current agency policy.

I trust this response adequately addresses your concerns.

Sincerely,



F. J. Garrido
Warden

cc: Central File
file

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Federal Correctional Complex - Low
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Official Business

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ATTN: Emily Carey, Esq.



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